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7 Attorneys for Defendant
8 ADAU AKUI ATEM MORNYANG
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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **WESTERN DIVISION**

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 ADAU AKUI ATEM MORNYANG,

17 Defendant.
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Case No. 19-CR-50-CJC

***EX PARTE APPLICATION TO
CONTINUE SENTENCING
HEARING; DECLARATION OF
ERIN MURPHY***

1 Defendant Adau Akui Atem Mornyang, by and through her attorney of record,
2 Deputy Federal Public Defender Erin Murphy, hereby applies ex parte to this Court for
3 an order continuing the sentencing hearing in this matter from June 24, 2019 at 10:00
4 a.m. to July 8, 2019 at 10:00 a.m. The grounds for the proposed continuance are
5 outlined in the attached declaration of Erin Murphy.

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7 Respectfully submitted,
8 HILARY POTASHNER
9 Federal Public Defender

10 DATED: June 7, 2019

By /s/ Erin Murphy

11 ERIN MURPHY
12 Deputy Federal Public Defender
13 Attorney for ADAU MORNYANG
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DECLARATION OF ERIN MURPHY

I, Erin Murphy, declare:

1. I am an attorney with the Office of the Federal Public Defender for the Central District of California. I am licensed to practice law in the State of California and I am admitted to practice in this Court.

2. On March 14, 2019, after a two-day jury trial, Ms. Mornyang was found guilty of Counts 1 and 2 of the Indictment, in violation of 49 U.S.C. § 46504 and 18 U.S.C. § 113(a)(4)/ 49 U.S.C. § 46506, respectively.

3. On that same date, the Court ordered sentencing set for June 24, 2019 at 10:00 a.m.

4. Due to scheduling conflicts, including but not limited to my co-counsel and supervisor Georgina Wakefield's being out of town this past week, I am requesting the sentencing in this matter be delayed to July 8, 2019. This extension is necessary to allow more time to prepare Ms. Mornyang's sentencing position and objections to the Probation Officer's presentence report. Also, I understand that Ms. Mornyang needs more time to save money to pay for her flight to Los Angeles to appear for her sentencing hearing.

5. To obtain the government's position on this request, I emailed Assistant United States Attorney MiRi Song on Tuesday, June 4, 2019. I emailed her again on Wednesday, June 5, 2019. I received no response to either message. I emailed Ms. Song again today, June 7, 2019. After emailing her today, I called her office. Her voicemail greeting message indicated that she is out of the office. After leaving a voicemail, I emailed her to indicate my intent to file the instant *ex parte* application, and that I would inform the Court that I was unable to obtain her position.

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1 I declare under penalty of perjury under the laws of the United States of America
2 that the foregoing is true and correct.

3 Executed on June 7, 2019, at Los Angeles, California.

4 /s/ Erin Murphy.
5 ERIN MURPHY
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